

BEFORE THE DISCIPLINARY COMMISSION  
OF THE SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER  
OF THE STATE BAR OF ARIZONA,

**PHIL J. ROGERS,**  
**Bar No. 012333**

RESPONDENT.

Nos. 94-0437, 94-2381, 95-0020

**DISCIPLINARY COMMISSION  
REPORT**

This matter came before the Disciplinary Commission of the Supreme Court of Arizona on October 18, 2003, pursuant to Rule 56(a), Ariz. R. S. Ct., for consideration of the Tender of Admissions and Agreement for Discipline by Consent (Agreement) and Joint Memorandum in Support of Agreement for Discipline by Consent (Joint Memorandum) filed July 3, 2003, providing for a censure and costs of these disciplinary proceedings. Respondent and counsel for the State Bar were present.

**Decision**

The nine<sup>1</sup> members of the Commission unanimously recommend accepting and incorporating by reference the Agreement<sup>2</sup> and Joint Memorandum providing for a censure and costs.

<sup>1</sup> Gary Bonwell, M.D., a former commissioner from Tucson participated as an ad hoc member. One public member seat remains vacant.

<sup>2</sup> At oral argument, the parties clarified that no violation of ER 1.5 was admitted, however, Respondent did violate SCR 51(e). Both were inconsistently listed in the Agreement and Joint Memorandum. See Commission transcript, p.6:6-18. In addition, Standard 9.22(g) character and reputation is inadvertently listed under aggravating factors instead of under mitigating factors.

RESPECTFULLY SUBMITTED this 13<sup>th</sup> day of November, 2003.



Jessica G. Funkhouser, Chair  
Disciplinary Commission

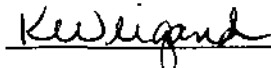
Original filed with the Disciplinary Clerk  
this 13<sup>th</sup> day of November, 2003.

Copy of the foregoing mailed  
this 13<sup>th</sup> day of November, 2003 to:

Phil J. Rogers  
Respondent  
4160 E. Camino St.  
Mesa, AZ 85205-0001

Copy of the foregoing hand-delivered  
this 13<sup>th</sup> day of November, 2003 to:

Karen Clark  
Senior Bar Counsel  
State Bar of Arizona  
111 West Monroe, Suite 1800  
Phoenix, AZ 85003-1742

By 

/kdl